

## SCAFFOLDING LICENCE SECTION 3 'GUIDANCE NOTES'

(Jointly produced in consultation with the National Access and Scaffolding Confederation, Health and Safety Executive, Local Authorities, Joint Authorities Group UK, National Traffic Managers Forum)

These guidance notes have been produced to assist applicants when applying to erect scaffolding on the Public Highway and to draw attention to their legal obligations to meet the required standards.

### GENERAL

This application is for a licence to build, erect or maintain on or over a highway, a scaffolding or other structure which obstructs the highway (Section 169 Highways Act: 1980).

The licence is for the occupation of the highway only.

A current copy of a regulated scaffolding association membership certificate or alternative 'competence' documents must be supplied with this application.

Aluminium Towers – this guidance document does **not** cover the use of aluminium towers on the public highway, short term or otherwise. However, in accordance with Section 169 of the Highways Act 1980 a licence for the placement of these types of structures (short term or otherwise) is still required to be obtained from the Local Authority.

### CONSTRUCTION

1. In order to satisfy the requirements of the Work at Height Regulations 2005, the scaffold structure must be designed, erected, altered and dismantled in a safe manner and maintained in a safe condition in accordance with current standards.
2. **On each site** there must be an appropriate number of scaffolding operatives employed who are **competent** to erect, alter or dismantle the type and form of scaffolding and hold one or more of the following qualifications as appropriate.
  - (Traditional Scaffolding (tube and fitting) or System Scaffolding - CISRS Scaffolder Card (or for more complex scaffold structures, The CISRS Advanced Scaffolder Card). The competent scaffolding operatives can be supplemented by CISRS carded 'Trainee Scaffolders', on a maximum ratio balance of one 'competent' scaffolding operative to one 'trainee' scaffolding operative.
3. The scaffolding structure, or portion of, to be erected that day, shall be securely erected on the day of the delivery, in a safe and considerate manner, by or under the immediate supervision of a person competent and experienced in carrying out such work. Similarly, all scaffolding, hoarding or other structure, must be fully removed from the highway on the day it is dismantled and upon expiration of the licence or when the need for the scaffold becomes redundant.
4. In order to satisfy the requirements of the Work at Height Regulations 2005, the scaffolding contractor shall formulate their plan of work making sure that all necessary allowances have been made resulting in all works undertaken by the scaffolding operatives being fully compliant with the recommendations and systems of work as detailed in the current version of the NASC safety guidance document SG4 'Preventing Falls in Scaffolding'
5. The licensee must implement any measures that the Authority or Statutory Undertaker reasonably requests for the purpose of protecting or giving access to any apparatus belonging to or used or maintained by them.
6. The scaffolding must be adequately secured to the adjoining structure or externally braced to prevent displacement. Scaffold standards shall be fitted with suitable base plates, with appropriate spreaders used where necessary to the satisfaction of the Local Authority. All scaffold standards shall either be painted white, covered with hi-visibility foam padding and or hazard tape, for the first 2.00 metres above the

footway/carriageway. The scaffolding shall not have any sharp ends or unprotected nuts/bolts within 2.00m of ground level. On pedestrian walk through structures the base lift shall be constructed in a manner to ensure that there are no horizontal ledger, transom or tie tubes lower than 2.44 m high above ground level unless a safe route for pedestrians of 1.2m minimum can be maintained around the scaffold structure and taking into account persons having a disability. No other equipment, ladders or materials may be kept on the footway or carriageway. All lower ladders must be removed when scaffolding is not in use to prevent unauthorised access. Adequate width and height must be maintained for the safe passage of footway users. Warning signs with the legend 'DANGER - WORKING ABOVE' (or similar) must be displayed at each end of the structure during the erection and dismantling of the scaffolding structure.

7. Suitable and sufficient measures must be taken to prevent any highway user from being struck by falling debris, material or objects. (The first lift of each scaffold and protection fan must be close boarded with suitable covering to prevent debris, material or objects falling through the scaffolding down onto any part of the highway. Covered traffic routes or passageways must be provided where necessary. Any spillages (including loose materials and equipment) must immediately be removed from the highway. The footway shall be kept clear for pedestrians and properly protected both day and night, so as not to cause risk of damage or injury to the public).
8. Unless otherwise agreed with the Local Authority, all working levels of all elevations of each completed scaffold (unless access/inspection only scaffolds) must be enclosed with either debris netting or plastic type sheeting to prevent debris, material or objects falling down the outside of the scaffolding onto any part of the highway. Depending on the proposed use of the scaffold consideration should be given to the selection of type of the enclosure material. The choice made should be appropriate for the safe encapsulation of any possible items of debris that may be produced by the intended works to be undertaken from the scaffolding. Note encapsulation of scaffolding and other structures can adversely affect the structural stability which must be considered at an early stage of design.
9. Where there is a risk of materials (tools or equipment) being dropped (accidentally or otherwise) onto vehicle or pedestrian traffic down from the scaffolding structure i.e. within 4.00m horizontal distance away from the outer face or ends of the scaffolding structure, a suitably constructed and angled protection fan or pedestrian gantry scaffold must be provided. This should be installed as soon as is practicable and remain in situ during the erection and dismantling of the scaffolding structure. Protection fans should not be installed below a height of 5.05m (16'-5") above a carriageway when built to accommodate the potential hazard of vehicular traffic. The 5.05m (16'-5") level should be measured from the kerb or the highest point of the road surface level (whichever is the higher). When accommodating the potential hazard of pedestrian traffic only, protection fans should not be installed below a height of 2.44m. This should be increased if there is a possibility of high sided vehicles over running the footway. Note: the type of protection fan to be constructed should be fit for purpose dependent on individual site requirements. Refer to NASC technical guidance TG20:08 for information relating to load classes and the designs of various protection fan arrangements. The Local Authority may require that pedestrian gantry scaffolds be designed.
10. Wherever practicable, scaffolding shall be kept back a minimum of 450mm from the carriageway edge, up to a height of 5.05m (16'-5"), measured from the kerb or the highest point of the road surface level (whichever is the higher). If by agreement with the Local Authority any part of the scaffold is closer than 450mm to the carriageway edge, or the proposed site of the scaffolding is considered to be particularly susceptible to impact damage by passing vehicles, then adequately secured and properly signed, guarded and lit barriers shall be provided along the face of the structure and approved by the Local Authority.
11. The scaffold must be adequately lit from half an hour before sunset to half an hour after sunrise at each end with steady amber warning lights at 4m intervals. All projections must have red warning lights. A gantry over a pedestrian walkway must have white lights underneath for safety and security. Lighting levels and power supply should be identified.
12. Partially erected/incomplete scaffolds must have a name board affixed and a warning notice board indicating 'Scaffold Incomplete – Not to be used' (or similar). If left overnight the incomplete scaffold must be lit.
13. The issuing of the licence does not exempt any vehicle from any existing traffic regulation order during the course of erection, dismantling or other activity. Where appropriate an application to suspend the traffic regulation order should be made to the Local Authority.

## PEDESTRIANS

14. If proper provision cannot be made for pedestrians to pass safely beneath the scaffold or other structure on the existing footway, then an adequately signed and guarded walkway shall be erected outside the scaffolding or other structure, to the satisfaction of the Local Authority. A joint site inspection will be required and additional conditions applied.
15. Measures shall be taken to distance / segregate / minimise the public interface from the area of work where the scaffold materials are being deposited, handled and erected.
16. All reasonable precautions must be taken to ensure the safety of the public / pedestrians during the works. Particular consideration should be given to the needs of children, elderly people and people with disabilities, having particular regard for the visually impaired. For example, the provision of appropriate ramps for wheel chairs and tapping boards to warn the visually impaired of approaching hazards are useful aids. In order to do this, consideration must be given to suitable barrier systems, which safely separate the pedestrians from any hazards and provide sufficient access for people using wheelchairs and those with prams or pushchairs. (see also HSE Guidance – ‘Protecting the Public – your next move’ HSG151)

## TRAFFIC MANAGEMENT

17. Traffic management issues such as the use of temporary traffic signals and temporary road closures must be discussed and agreed with the Local Authority. Additional fees may apply if positive traffic management is required. Extra restrictions may be imposed by the Local Authority on routes designated as traffic sensitive.
18. The licensee shall comply with Chapter 8, of the Traffic Signs Regulations and General Directions 2002 (TSRGD), together with such other conditions as the Local Authority may require. A requirement when carrying out any work on the highway is that the works are adequately signed, guarded and lit as stipulated in the “Safety at Street Works and Road Works Code of Practice.
19. To meet the traffic management standards, personnel involved in traffic management must be trained and accredited in the “Signing, Lighting and Guarding” module as prescribed in the New Roads and Street Work Act 1991. For minor traffic management a company must have at least: (a) One Accredited Supervisor (who does not have to be permanently on site). For major traffic management all operatives engaged in actually setting the system up on the highway shall be Street Works Accredited in ‘Signing, Lighting and Guarding’

## MAINTENANCE

20. During the period in which the scaffolding structure is allowed to stand, the structure shall be kept and maintained in good order and condition, and so as not to be injurious to the amenities of the neighbourhood and / or users of the highway. All scaffold material and associated fixtures and fittings, (including rubbish chutes, chains, ropes and lifting gear, etc.) must be of good condition, sound material, adequate strength and free from patent defect. When chutes, lifting gear or other devices are used for the removal of equipment or materials all necessary precautions must be taken for the safety of all highway users. During this operation the skip or lorry body must be sheeted down to minimise dust levels.
21. It is the responsibility of the scaffold contractor to implement a regular cleansing regime to keep the area of highway beneath the scaffolding clean and clear of debris.
22. Every hoist or pulley wheel must be adequately fenced.
23. Scaffold structures must be inspected by a competent person every 7 days or after alteration. In addition, they must always be inspected after bad or excessively dry weather or particularly high winds, which may have affected their strength and stability. The results of the inspections (including any faults found) should be recorded and made available. Daily safety pre-checks should also be undertaken by any persons using the scaffolding
24. At the expiration of the time for which the licence is granted or when the work for which this consent is granted is completed, or if the consent is revoked, whichever is first, the scaffolding structure shall be immediately taken down.
25. The licensee is responsible for ensuring that the scaffolding is kept free from fly posting and graffiti. Any occurrences must be removed within 48 hours<sup>1</sup>.

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<sup>1</sup> Local variations may apply and may be edited accordingly by the Local Authority

26. A duplicate copy of the licence should be kept on site at all times during which the scaffolding structure is erected and must be readily available for inspection by authorised officers upon demand.

## **REMOVAL OF SCAFFOLDING STRUCTURE(S)**

27. Upon removal of the scaffolding structure(s), the pavement will be inspected and any damage to the highway will be made good by the Local Authority at the expense of the licensee in accordance with the provisions of Section 133 of the Highways Act 1980. To enable any damage to the highway to be assessed the Local Authority may undertake a dilapidation survey prior to the erection of the scaffold at the expense of the licensee.
28. The Local Authority shall have the right to revoke the licence at any time by appropriately served notice if any of the conditions subject to which the licence is granted are not complied with and the licensee shall forthwith remove the scaffolding, hoarding or other structure. In default, and after giving notice, the Council may themselves remove the scaffolding, or other structure and any reasonable expenses incurred by the Council in doing so shall be recoverable from the licensee. Also it should be noted that failure to comply with conditions set by the Local Authority may lead to a fine of up to £5000 being imposed under (Section 169 (5) of the Highways Act 1980).

## **INSURANCE – PUBLIC LIABILITY**

29. Public Liability Insurance giving minimum cover of £5M for Scaffolding is required. However, it may be noted that the Council reserves the right to increase these amounts if it is considered that the site location requires a higher degree of cover. You will be notified if this is the case and proof of increased cover will be required before the licence is granted

## **MISCELLANEOUS**

30. Unique Street Reference Numbers (USRNs) are obtained from the National Street Gazetteer. The Local Authority will provide these numbers on request.
31. Where the Local Authority is also a Permit Authority in respect to Part 3 of the Traffic Management Act: 2004, a further permit may be required.
32. Further separate licences must be applied for where the licensee intends to erect hording, place a skip on the highway and/or place building materials on the highway.

## **REFERENCES**

Highways Act: 1980 - <http://www.statutelaw.gov.uk>

New Roads and Street Works Act: 1991 - <http://www.statutelaw.gov.uk>

Traffic Management Act: 2004 - <http://www.statutelaw.gov.uk>

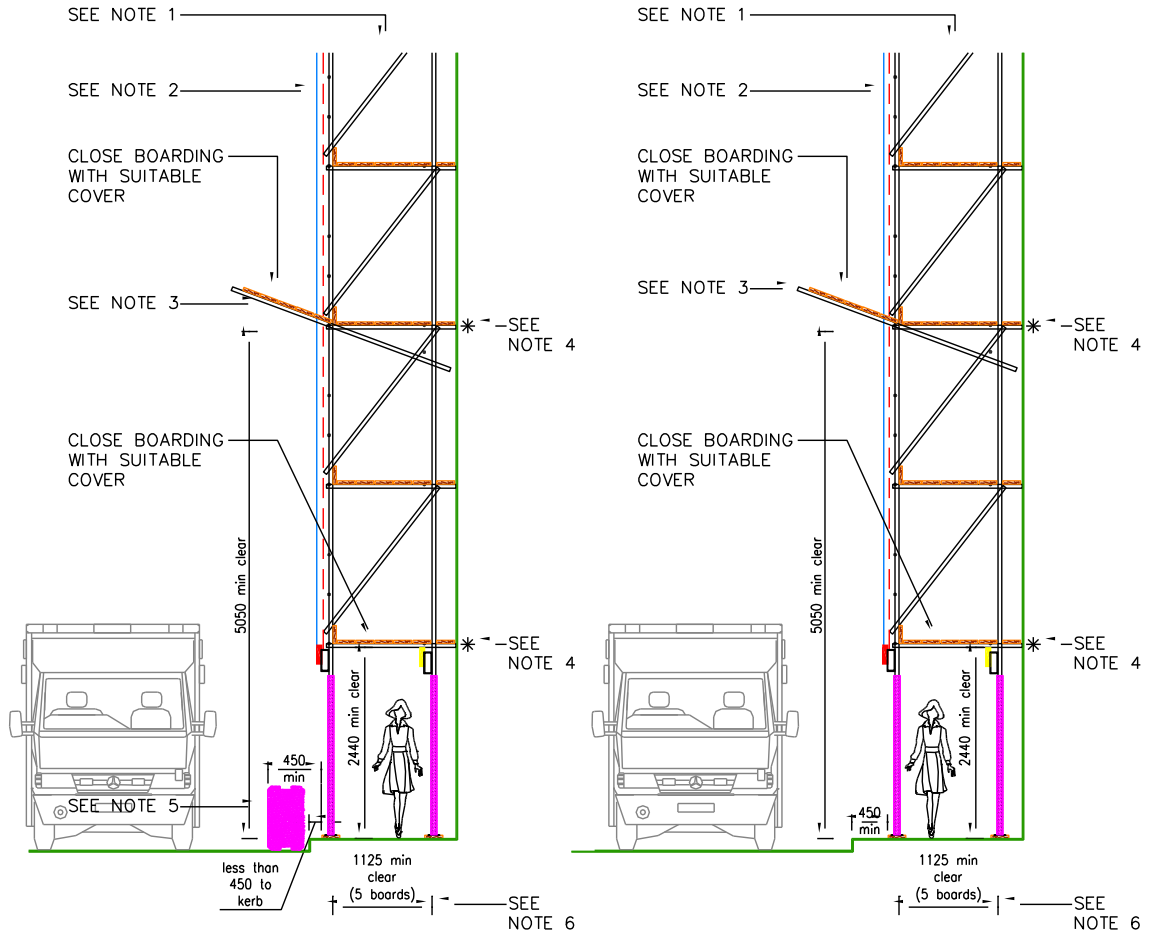
Safety at Street Works and Road Works Code of Practice:  
<http://www.dft.gov.uk/pgr/roads/network/local/streetworks/cop/streetworkscodesofpractice>

Chapter 8: Traffic Signs Manual - <http://www.dft.gov.uk/pgr/roads/tss/tsmanual>

If the licensee objects to any of the following conditions of the licence, the licensee may appeal to a Magistrates' Court within 21 days of the date of receipt of the licence.

***PLEASE ALSO SEE GENERALISED SCAFFOLDING SKETCHES FOR GUIDANCE  
ON THE FOLLOWING PAGES***

# Scaffold Licence Sketch and Considerations (Guidance Only)



***Pedestrian & Vehicle***  
**(Clearance from kerb = less than 450mm)**

***Pedestrian & Vehicle***  
**(Clearance from kerb = 450mm or greater)**

NOTES

NOTE 1 – SCAFFOLD TO BE CONSTRUCTED AND TIED IN ACCORDANCE WITH EN 12810, EN 12811 OR TG20:08 OR IF APPLICABLE, AS SPECIFIED IN A BESPOKE SCAFFOLD DESIGN.

NOTE 2 – DEBRIS NETTING OR PLASTIC TYPE SHEETING TO BE INSTALLED UNLESS OTHERWISE AGREED WITH THE LOCAL AUTHORITY. (NOTE – DEBRIS NETTING OR PLASTIC TYPE SHEETING TO BE FIXED EXTERNALLY IN ACCORDANCE WITH TG20:08 UNLESS OTHERWISE SPECIFIED BY BESPOKE DESIGN)

NOTE 3 – THE TYPE OF PROTECTION FAN TO BE CONSTRUCTED SHOULD BE FIT FOR PURPOSE DEPENDENT ON INDIVIDUAL SITE REQUIREMENTS. REFER TO NASC TECHNICAL GUIDANCE TG20:08 FOR INFORMATION RELATING TO LOAD CLASSES AND DESIGNS OF VARIOUS PROTECTION FAN ARRANGEMENTS. ALL PEDESTRIAN GANTRY SCAFFOLDS SHOULD BE DESIGNED.

NOTE 4 – NUMBER, TYPE AND LOCATION OF TIES TO SUIT SITE CONDITIONS

NOTE 5 – SUITABLE FENDER OR BARRIER TO BE POSITIONED INDEPENDENT OF THE SCAFFOLDING.

NOTE 6 – LOCAL RESTRICTIONS MAY APPLY

ADDITIONAL NOTES:

HIGH VISIBILITY FOAM PADDING AND OR HAZARD TAPE TO BE FIXED 2.0m HIGH TO ALL UPRIGHTS ADJACENT TO PUBLIC ACCESS

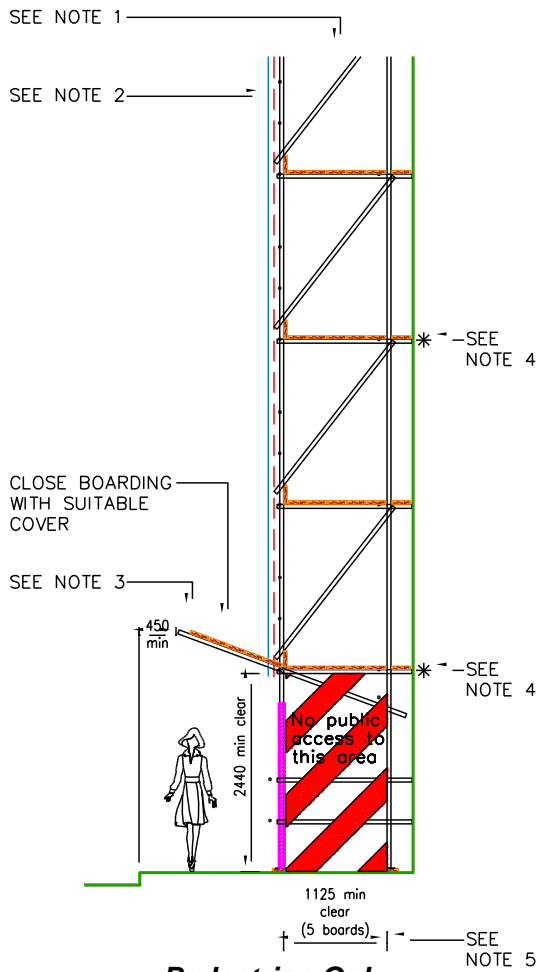
DANGER – MEN WORKING ABOVE (OR SIMILAR) SIGNS TO BE FIXED EACH END OF SCAFFOLD DURING ERECTION AND DISMANTLING.

THE SCAFFOLD MUST BE LIT DURING THE HOURS OF DARKNESS AT EACH END WITH WARNING LIGHTS AT 4m INTERVALS. ALL PROJECTIONS MUST HAVE RED WARNING LIGHTS. A GANTRY MUST HAVE WHITE LIGHTS FOR PEDESTRIANS.

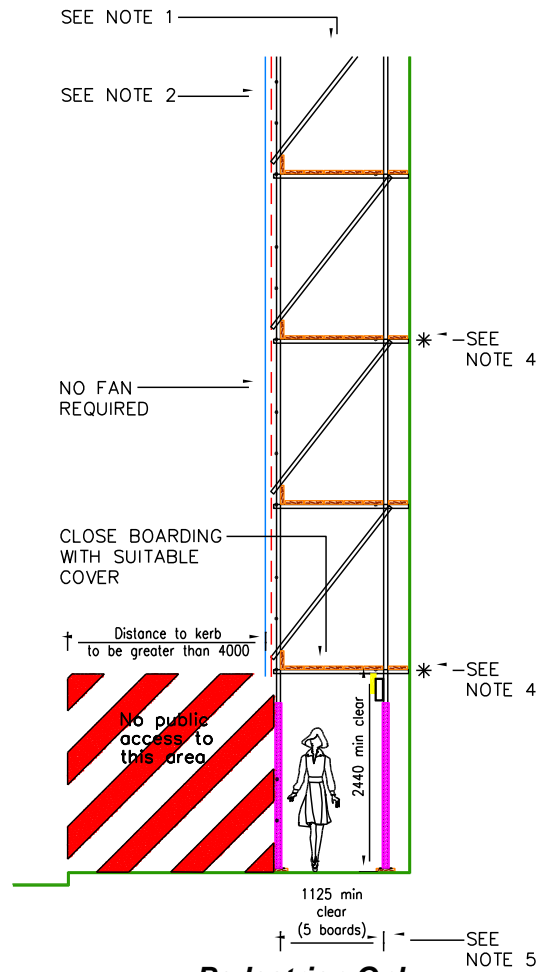
LIGHTING KEY      VEHICLE LIGHTING —      PEDESTRIAN LIGHTING —

# Scaffold Licence

## Sketch & Considerations (Guidance Only)



**Pedestrian Only**  
**(Clearance from kerb to fan = 450mm or greater)**



**Pedestrian Only**  
**(Clearance from kerb = 4m or greater and no public access outside scaffold)**

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**LIGHTING KEY** PEDESTRIAN LIGHTING —